

Suffolk Superior civil # 04-2012 F

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COPY

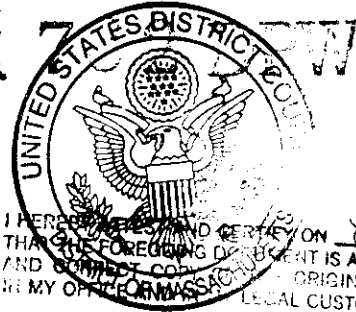
MICHAEL WATSON, INDIVIDUALLY,
AND AS FATHER AND NEXT FRIEND OF
JOHN WATSON,
Plaintiff

v.

PARTNER INDUSTRIAL PRODUCTS,
Defendant

04-11782DPW

04 117



NOTICE OF REMOVAL

TO THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS:

CLERK, U.S. DISTRICT COURT,
DISTRICT OF MASSACHUSETTS

Pursuant to 28 U.S.C. §§ 1441 and 1446, the Defendant, Electrolux Professional Outdoor Products, Inc. (improperly named in the Complaint as "Partner Industrial Products" and hereinafter referred to as "Electrolux"), hereby gives notice of the removal to this Court of this action, which was commenced in the Commonwealth of Massachusetts, Suffolk County Superior Court (Civil Action No. 04-2012-F). As grounds for this removal, Electrolux respectfully states as follows:

1. The plaintiff, Michael Watson, Individually and as Father and Next Friend of John Watson, brought this action in Suffolk County Superior Court by a complaint that was served upon Electrolux by certified mail and was received on or August 2, 2004. (See Summons and Complaint attached hereto as Exhibit A.)
2. According to the complaint, the plaintiff is an individual residing in the Commonwealth of Massachusetts.
3. The named defendant, Partner Industrial Products, n/k/a Electrolux Construction Products North America, is an unincorporated division of Electrolux.

4. The removing party, Electrolux, is an Ohio corporation with its principal place of business in Kansas.

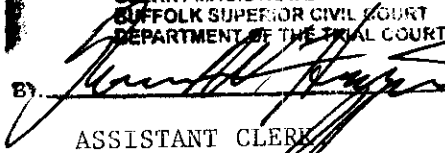
5. The plaintiff's action is a civil action over which this Court has diversity subject-matter jurisdiction under 28 U.S.C. § 1332, because the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and the action is between citizens of different states.

6. Electrolux is entitled to remove the plaintiff's action to this Court pursuant to 28 U.S.C. §§ 1441 and 1446, because the Court has original jurisdiction over the action; the action is pending within this District and Division; and Electrolux is not a citizen of Massachusetts.

7. Copies of all process and pleadings served on Electrolux in this action are attached hereto as Exhibit A.

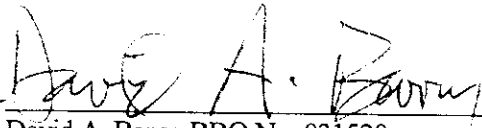
Signed, pursuant to Fed. R. Civ. P. 11, on August 13, 2004

WHEREBY ATTEST AND CERTIFY ON
AUGUST 19, 2004, THAT THE
FOREGOING DOCUMENT IS A FULL,
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN MY OFFICE,
AND IN MY LEGAL CUSTODY.

MICHAEL JOSEPH DONOVAN
CLERK / MAGISTRATE
SUFFOLK SUPERIOR CIVIL COURT
DEPARTMENT OF THE TRIAL COURT
BY: 
ASSISTANT CLERK

ELECTROLUX PROFESSIONAL OUTDOOR
PRODUCTS, INC.

By its attorneys,

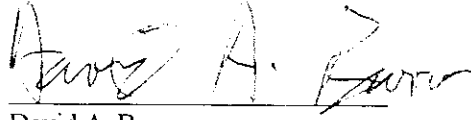

David A. Barry, BBO No. 031520
SUGARMAN, ROGERS, BARSHAK & COHEN, P.C.
101 Merrimac Street, 9th Floor
Boston, MA 02114
(617) 227-3030

Dated: August 13, 2004

CERTIFICATE OF SERVICE

I, David A. Barry, hereby certify that on the above date I served the foregoing document, by mailing a copy of same, postage prepaid, to the following counsel of record:

James E. Byrne, Esquire
Finneran, Byrne & Drechsler, LLP
50 Redfield Street
Boston, MA 02122



David A. Barry

Doc. #353025

SUCV2004-02012

Watson et al v Partner Industrial Products

File Date	05/11/2004	Status	Disposed: transfered to other court (dtrans)		
Status Date	08/18/2004	Session	F - Civil F		
Origin	1	Case Type	B05 - Products liability		
Lead Case		Track	A		
Service	08/09/2004	Answer	10/08/2004	Rule12/19/20	10/08/2004
Rule 15	08/04/2005	Discovery	06/30/2006	Rule 56	08/29/2006
Final PTC	12/27/2006	Disposition	05/11/2007	Jury Trial	Yes

PARTIES

Plaintiff
Michael Watson
Active 05/11/2004

Private Counsel 068560
James E Byrne
Finneran Byrne & Drechsler
50 Redfield Street
Eastern Harbor Office Park
Boston, MA 02122
Phone: 617-265-3900
Fax: 617-265-3627
Active 05/11/2004 Notify

Plaintiff
John Watson, ppa
Active 05/11/2004

*** See Attorney Information Above ***

Defendant
Partner Industrial Products
Served: 08/02/2004
Served (answr pending) 08/06/2004

Private Counsel 031520
David A Barry
Sugarman Rogers Barshak & Cohen
101 Merrimac Street
9th floor
Boston, MA 02114-4737
Phone: 617-227-3030
Fax: 617-523-4001
Active 08/18/2004 Notify

ENTRIES

Date	Paper	Text
05/11/2004	1.0	Complaint filed with request for trial by jury
05/11/2004		Origin 1, Type B05, Track A.
05/11/2004	2.0	Civil action cover sheet filed
08/06/2004	3.0	SERVICE RETURNED: Partner Industrial Products(Defendant) (certified mail)
08/18/2004		Certified copy of petition for removal to U. S. Dist. Court of Deft. Electrolux Professional Outdoor Products, Inc. U. S. Dist. # (04-11782DPW).
08/18/2004		Case REMOVED this date to US District Court of Massachusetts

case01 238050 y y y y y

Page 1 of 2

. HEREBY ATTEST AND CERTIFY ON

AUGUST 19, 2004, THAT THE

FOREGOING DOCUMENT IS A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE, AND IN MY LEGAL CUSTODY.

**MICHAEL JOSEPH DONOVAN
CLERK / MAGISTRATE
SUFFOLK SUPERIOR CIVIL COURT
DEPARTMENT OF THE TRIAL COURT**

BY

ASSISTANT CLERK.